

### **3.4 Responses to Comments**

Pursuant to Section 15132 of the CEQA Guidelines, this section contains the Lead Agency's responses to all of the environmental issues raised in the letters received commenting on the DEIR.

#### **3.4.1 Responses to Agency Comments**

##### **State Agencies**

**SA-1**            **Larry Myers, Executive Secretary, Native American Heritage Commission**

##### **SA-1-1 Response**

CDF appreciates the Native American Heritage Commission (NAHC)'s recognition of the Department's efforts to manage the archaeological resources in its care. CDF will continue to work with NAHC and the Native American community in this critical area of responsibility.

##### **SA-1-2 Response**

CDF remains committed to site avoidance as the first consideration when mitigating for significant impacts to archaeological resources.

##### **SA-1-3 Response**

The Department appreciates NAHC's recognition of CDF's adoption of the gathering policy for local Native American groups wishing to access CDF properties to obtain traditional materials needed for traditional Native American activities. The CDF Historic Preservation Officer will continue to be available to assist in resolving issues related to access by Native American groups to these important heritage resources.

##### **SA-1-4 Response**

Since the initiation of CDF's efforts to develop the Plan, the Department has worked with the NAHC and the Native American community to ensure the meaningful consultation emphasized in your comments. In 1997, at the request of the NAHC, the Plan was submitted for review to the California Board of Forestry's Native American Forestry Advisory Committee (NAFAC) (see page 92 of the Plan and page 38 of the DEIR).

In addition, CDF requested a list of Native American community contacts from NAHC in order to consult with representatives of individual tribal groups statewide. On July 2, 1998, the NAHC provided the list to CDF via fax. In July of 1998, CDF sent a letter to the 20 Native American groups on the NAHC list requesting assistance and participation in the development of the Plan.

During the CEQA Scoping process, the Notice of Preparation (NOP) was sent to the same list of Native American representatives announcing CDF's intent to prepare an Environmental Impact Report (EIR). The NOP also requested written comments to assist the Department in establishing the scope of the EIR. No written comments from Native American groups were received during the 30-day NOP response period. However, we did receive several telephone calls requesting the addition of several tribal representatives to the DEIR Mailing List.

The Notice of Availability of the DEIR review and comment was directly mailed to all Native American contacts on the Mailing List. A copy of the DEIR were provided to each county librarian to make available for public review in each county where a CDF historic resource is located. In addition, a copy of the DEIR was directly mailed to any Native American representative or individual who so requested. No written comments were received from any Native American group during the 45-day comment period.

The list of Native American groups who were consulted and provided opportunity for comment about the development of the Plan and the DEIR are on file in the Administrative Record for the EIR, along with copies of the letters sent. Copies are available upon request by contacting the CDF Historic Preservation Officer.

**SA-2            Larry Myers, Executive Secretary, Native American Heritage Commission**

**SA-2-1  
Response**

The Department appreciates your letter to the Director of CDF bringing our attention to the Native American Graves Protection and Repatriation Act (NAGPRA). CDF is taking action to ensure NAGPRA compliance, and the Plan will be revised to address NAGPRA. In response to your letter, CDF has completed detailed inventories of CDF collections, and these were sent to all 161 Native American contacts required by NAGPRA on July 23, 2001. Please see the CDF Director's response dated February 22, 2001, which is attached to SA-2. NAHC's letter of March 1, 2001 to the Director is also included in the attachment.

**SA-3            Governor's Office of Planning and Research/State Clearinghouse**

**SA-3-1  
Response**

The State Clearinghouse's review period for State agencies is noted as follows: January 8, 2001 through February 21, 2001.

**SA-3-2  
Response**

The State Clearinghouse's State agency distribution list is noted.

**SA-4**                    **Brian Grattidge, Project Analyst, Governor's Office of Planning and Research/State Clearinghouse**

**SA-4-1**  
**Response**

The State Clearinghouse's corrected memo is noted. However, the corrected memo provides the same State agency review period as the prior Acknowledgement of Receipt (see SA-3): January 8, 2001 through February 21, 2001. We believe that the corrected memo may have been sent in error.

**SA-4-2**  
**Response**

The State Clearinghouse's State agency distribution list is noted. However, the State Clearinghouse's State agency distribution list is identical to the list provided in the prior Acknowledgement of Receipt (see SA-3).

**SA-5**                    **Terry Roberts, Senior Planner, Governor's Office of Planning and Research/State Clearinghouse**

**SA-5-1**  
**Response**

The State Clearinghouse's comment package is in order.

**SA-5-2**  
**Response**

The State Clearinghouse's acknowledgement of CDF's compliance with the State Clearinghouse review requirements for draft environmental documents, pursuant to CEQA, is noted.

**Regional and Local Agencies**

**RLA-1**                    **K. Thorne, Record Search Coordinator, California Historical Resources Information System**

**RLA-1-1**  
**Response**

Not all of the demolition that could take place under the Plan would be preceded by a records search from a local information center. In some cases, the records search of a specific CDF property has already been conducted. In other cases, such as at Jackson Demonstration State Forest, the Department maintains a more comprehensive data base on historical resources than is on file at the California Historical Resources Information System (CHRIS). When CDF conducts project-level reviews, the Department checks its own in-house data base for historical resource information. Of course, CDF does visit the CHRIS office every five years to ensure that you are provided with copies of all our documentation.

**RLA-2            Robin Wood, AICP, Senior Planner, Tuolumne County Community  
Development Department**

**RLA-2-1  
Response**

The DEIR and the Plan were prepared based on the CDF historic building inventory that was completed in 1994 (see "A Survey and Historic Significance Evaluation of the CDF Building Inventory", Volumes 1 and 2, CDF Archaeological Reports Number 17, Mark V. Thornton, December 1994). This evaluation included CDF buildings constructed prior to 1947. CDF buildings at Twain Hart, Green Springs, and Lake Don Pedro (Blanchard) were not evaluated because they were not constructed prior to 1947, and therefore were not of age at the time the CDF historic building inventory was prepared. Buildings that were not evaluated for historic significance during the 1994 study that reach 50 years of age in the interim will be reviewed during the Plan re-evaluation that will take place every ten years beginning in 2010. In addition, prior to demolition of any CDF building that is 50 years of age or older, the CDF Historic Preservation Officer will first make a determination of historic significance (see page 18 of the DEIR). If found to be eligible for listing in the NRHP, CDF shall first consider the feasibility of adopting other management alternatives, as specified in Section 2.6.1 (page 17) of the DEIR. The Department will follow these ranking alternatives: 1) adaptive re-use; 2) transfer of ownership or management; 3) relocation; 4) management as a standing ruin.

The combination barracks and the 2-bay truck garage at the Groveland Forest Fire Station both received a NRHP rating of 4S7 ("may become eligible for National Register as separate when its integrity is restored"). The well pump house did not a NRHP rating because it is located on private property and does not belong to CDF. The lack of CDF ownership and control over the well pump house means that the Department will not be doing any further historic evaluation or NRHP listing work on this building. However, the combination barracks and the 2-bay truck garage at the Groveland Forest Fire Station, along with other CDF buildings with a NRHP rating of 4 (including 4S, 4S1, 4S2, 4S3, 4S4, 4S5, 4S6, 4S7, and 4S8) will be reconsidered by CDF prior to any action involving demolition (see page 18 of the DEIR). This reconsideration by the Department will follow the ranking criteria in Section 2.6.1 of the DEIR as described above.

Although the Penon Blanco Lookout received a NRHP rating of 3S ("appears eligible for listing in the National Register as a separate property"), it was not targeted for preservation because it did not meet the CDF selection criteria for historic buildings (see page 9 of the DEIR).

**RLA-2-2  
Response**

All historic building evaluations referenced in the DEIR and the Plan were completed in 1994 during the CDF Building Inventory (see "A Survey and Historic Significance Evaluation of the CDF Building Inventory", Volumes 1 and 2; CDF Archaeological Reports Number 17, Sacramento, Mark V. Thornton, December 1994). Pursuant to Section 5024.1 of the Public Resources Code, all historical resources eligible for listing

on the NRHP are automatically eligible for listing in the CRHR. CDF did not conduct any separate historic resource evaluations for eligibility for the CRHR. All studies conducted in this regard were conducted under the NRHP listing criteria.

**RLA-2-3**  
**Response**

The CDF Building Inventory, the development of the Plan, and the DEIR were conducted in consultation with the State Historic Preservation Officer (SHPO). The ten-year interval refers to the interval after Plan adoption, not the period of time since the historic evaluation completed in 1994. Under the guidance of the SHPO, the time frame was established based on standards of reasonableness and feasibility in view of the Department's responsibilities as the largest multi-purpose fire protection agency in the country (see pages 5-7 of the Plan). In order to move forward with the CEQA process and Plan development, the Department needed to set a cut-off point for the CDF Building Inventory. Moreover, CDF is not aware of any provision in Sections 5020 et seq. of the Public Resources Code that specifies time frames for re-evaluation of such a Plan. Indeed, once adopted, the "Management Plan for CDF's Historic Buildings and Archaeological Sites" will be the first of its kind ever approved by a California State agency. However, your point is well taken. The Department does recognize the need to have an interim process for CDF buildings that reach 50 years of age before 2010. For this reason, CDF developed the management procedures specified in Section 2.6 of the DEIR (see pages 17-19) in consultation with the SHPO.

**RLA-2-4**  
**Response**

You are correct in pointing out that the Plan does not include any of the CDF buildings in Tuolumne County, such as those located at the CDF facilities at Rushing Mountain, Penon Blanco, and Groveland, on the list of 29 significant historic CDF buildings to be preserved. However, this does not automatically mean demolition of all CDF historic buildings in Tuolumne County. The Plan does provide a process for evaluation of historic resources at the project level. In addition, CDF's interim process for buildings that reach 50 years of age before 2010 is described in the DEIR (see responses to RLA-2-1 and RLA-2-3).

Your reference to the ownership status of the property on which a CDF historic building is located is an important consideration. The County of Tuolumne has CDF's assurance that the Department will seek the County's input for proposed CDF projects in Tuolumne County. Particularly for CDF projects located on County-owned or privately-owned lands, but also for any project on State-owned lands, CDF will endeavor to design and construct projects that are consistent with Tuolumne County standards to the extent feasible. At the project level, the County of Tuolumne is certainly welcome to explore the possibility and initiate discussions with CDF to take over ownership or management of a historic CDF building.

**RLA-2-5  
Response**

Approval of the Plan does not mean that more than 60 percent of CDF's significant historic buildings statewide will not be retained (or demolished). CDF wishes to emphasize that Plan adoption means that CDF cannot commit to long-term preservation of all identified significant historic buildings. However, through the application of the internal review process described in the DEIR (see responses to RLA-2-1, RLA-2-3, and RLA 2-4), more CDF historic buildings may be saved. This process will ensure the reconsideration of CDF historic buildings prior to any action involving removal or demolition during the interim period. In the Department's view, it is therefore reasonable and feasible to re-evaluate the Plan every 10 years after adoption, beginning in 2010.

**RLA-2-6  
Response**

The selection criteria for historic buildings used in the development of the Plan (see page 7 of the Plan and page 9 of the DEIR) were developed in consultation with the SHPO. One of the selection criteria is sample diversity, and the rarity of a particular resource will be considered prior to any action involving demolition.

**RLA-2-7  
Response**

Your point is well taken. The Plan does not specifically address CDF historical objects and artifacts, and these were not evaluated as part of the CDF building inventory completed in 1994. The Plan is limited to CDF historic buildings and archaeological sites. At this time, CDF is not proposing to change its current procedures on the treatment of historic artifacts. However, the Department agrees that it is a good idea to address this subject, and will consider doing so in the future.

**RLA-3            John K. Kallenerg, Secretary, Fresno County Historic Landmarks &  
Records Advisory Commission**

**RLA-3-1  
Response**

CDF appreciates that the Fresno County Historic Landmarks & Records Advisory Commission (HLRC) took the time to review the DEIR at its January 2001 meeting.

**RLA-3-2  
Response**

CDF notes that there were no HLRC concerns about the Plan raised at the meeting in which the DEIR was reviewed, and thus no comments provided during the 45-day public and agency review period.

**RLA-3-3  
Response**

CDF appreciates the Fresno County List of Historic Places application information provided by HRLC. The Department will keep this process in mind when conducting any CDF project level action that may impact a CDF historic building located in Fresno County.

**3.4.2 Responses to Organizations' Comments**

**O-1                   Angela Moebius, U.S. Forest Service Fire Lookout Host Program,  
Angeles/San Bernardino National Forests**

**O-1-1  
Response**

The Department would like to clarify that fourteen forest fire lookouts were evaluated according to the Selection Criteria for Historic Buildings that is described on page 9 of the DEIR. The Criteria consist of the following: 1) maximize public access; 2) building condition; 3) sample diversity; 4) location diversity; and 5) feasibility for long-term preservation and management. The proposed Plan considered, but did not select these fourteen forest fire lookouts because they did not meet the Selection Criteria. Your letter does recognize the importance of accessibility for the forest fire lookouts that the proposed Plan would preserve.

**O-1-2  
Response**

As a result of your suggestion, the Department did contact and consult with the California State Fair. Unfortunately, we were told that the Camp Smokey area of the State Fairgrounds is too small to accommodate a forest fire lookout. However, this does not preclude the possibility of placing a forest fire lookout elsewhere at the State Fairgrounds, and the Department thinks this is an excellent idea. If a forest fire lookout become available for relocation, CDF will re-visit the possibility of siting it at the State Fairgrounds.

**O-1-3  
Response**

The Department greatly appreciates your support for the Plan.

**O-2                   Marie Green Hall, Forest Fire Lookout Association**

**O-2-1  
Response**

CDF shares your preference. However, because of departmental funding constraints and problems with public accessibility, CDF developed and applied the Selection Criteria for Historic Buildings described on page 9 of the DEIR. The criteria consist of the following: 1) maximize public access; 2) building condition; 3) sample diversity; 4)

location diversity; and 5) feasibility for long-term preservation and management. The Selection Criteria formed the basis for CDF's decision as to which forest fire lookouts the Department could feasibly commit to preserve.

#### **O-2-2 Response**

Chapter I of the Plan contains an Overview of CDF History beginning on page 8. Although this Overview is intended as a broad treatment of the subject in order to provide a context in which to consider CDF Historic Buildings, it does mention forest fire lookouts briefly on pages 11, 13, and 14. The Department certainly agrees that forest fire lookouts constitute an important part of CDF history. However, for a more detailed history of CDF's forest fire lookouts, we refer interested parties and organizations, such as the Forest Fire Lookout Association, to historian Mark V. Thornton's two reports on CDF forest fire lookouts: "An Inventory and Historical Significance Evaluation of CDF Fire Lookout Stations"; 1993, CDF Archaeological Reports Number 17, Sacramento; and "A Survey and Historic Significance Evaluation of the CDF Building Inventory"; 1994, CDF Archaeological Reports Number 17, Sacramento. Mark V. Thornton also wrote an evaluation of U.S. Forest Service Lookouts in 1986, and a great deal of useful information is available in that report as well.

#### **O-2-3 Response**

The forest fire lookouts in the North Coast Region that were discussed in the Draft Plan were not included in the DEIR because of historic significance evaluation, not staffing. Table 1 in the Draft Plan (see pages 22-29) consists of the Inventory of CDF's Historic Buildings. Table 1 in the DEIR (see pages 26-28) includes only CDF's 86 Significant Historic Buildings Discussed in the Draft Management Plan. The Draft Plan discusses the CDF historic buildings that were evaluated for eligibility for listing in the NRHP. Forest fire lookouts listed in Table 1 of the Draft Plan that were not found to be eligible for listing in the NRHP, such as Cahto Peak Fire Lookout Station in Mendocino County, were not included in the list of CDF's 86 Significant Historic Buildings in the DEIR. Table 1 in the Draft Plan lists Cahto Peak with a rating of 6Z2, which is the National Register Status Code for "Found to be ineligible for National Register, no potential for National Register, not evaluated for Local List". Cold Spring Fire Lookout Station, located in Mendocino County is found in both the Draft Plan and the DEIR because it is rated 4S1/4S8, which is the National Register Status Code for "May become eligible for National Register as separate when it becomes old enough/May become eligible for National Register as separate when other like properties are lost". This rating made Cold Spring a good candidate for consideration, and thus when the Selection Criteria described on page 9 of the DEIR was applied, this forest fire lookout was chosen for preservation.

#### **O-2-4 Response**

Comment is noted because both were evaluated, and rated 4S1 and 4S1/4S8, respectively. These two forest fire stations will be added to Table 1 of the Plan. However, due to fiscal resource constraints, it is not feasible for CDF to include them on



the list of 86 significant buildings to preserve. However, the Department will re-evaluate these two lookouts in the year 2010, or earlier if demolition is proposed, under the internal administrative process described on pages 17 through 18 of the DEIR.

**O-2-5  
Response**

While the Department commends the Forest Fire Lookout Association's interest in forest fire lookouts, we would like to stress that the intent of the Plan and the DEIR is not to detail the disposition of each CDF forest fire lookout, but rather to adopt a comprehensive approach to CDF historic buildings.

**O-2-6  
Response**

During the development of the Draft Plan, CDF contacted numerous groups and institutions in search of preservation partners who are willing and capable of taking over ownership and/or management of CDF forest fire lookouts and historic buildings. In many cases these efforts were successful and these partners are identified in the Draft Plan. In addition, prior to any demolition of a CDF historic building, as referenced above, DEIR Section 2.6 (see pages 17 through 18) describes the procedure for Management of the Remaining CDF Historic Buildings Not Selected for Preservation. Under this procedure, CDF will make every effort to seek local groups and organizations such as the Forest Fire Lookout Association that would be interested and able to assume ownership and/or management of lookouts that could be preserved. CDF recognizes and appreciates the Forest Fire Lookout Association's efforts to assist the Department in the development of the Plan.